

AO 91 (Rev. 08/09) Criminal Complaint

United States District Court
Southern District of Texas

FILED

FEB 15 2018

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

, Clerk of Court

United States of America

v.

Arturo CUELLAR Jr.

YOB: 1987

U.S. Citizen

Case No.

M-18-0319-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 14, 2018 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

18 USC 922 (g)(1)

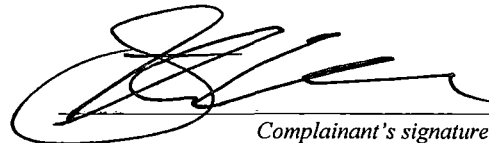
18 USC 922 (g)(1) - Unlawful to possess a firearm which has previously traveled in or affected interstate commerce, after having been convicted in a court of law of a felony crime punishable by imprisonment for a term exceeding one year.

This criminal complaint is based on these facts:

(See ATTACHMENT A as a continuation)

☒ Continued on the attached sheet.

Approved:

Robert W. Allen, AUSA
2/15/2018

Complainant's signature

Steven Medrano - ATF Special Agent

Printed name and title

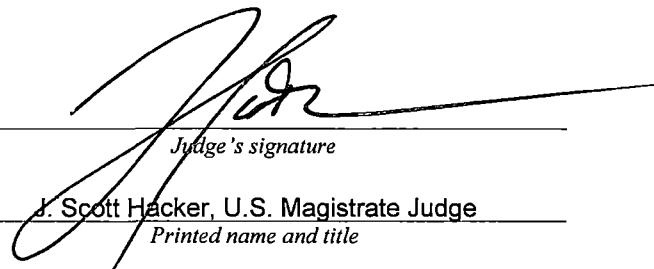
Sworn to before me and signed in my presence.

Date:

2/15/18

City and state:

McAllen, Texas



Judge's signature

J. Scott Hacker, U.S. Magistrate Judge

Printed name and title

ATTACHMENT A

The facts establishing the foregoing issuance of an arrest warrant are based on the following:

I, Special Agent Steven Medrano, affiant, do hereby depose and state the following:

1. I am a Special Agent of the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives. I have been a law enforcement officer for over seven years. My duties include the investigation of violations of the federal firearms laws. I know it to be unlawful for any person who has been convicted of a felony crime to receive or possess a firearm, which has traveled in or affected interstate or foreign commerce. This criminal complaint is based on the following facts:

2. On Wednesday, February 14, 2018, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) assisted the Drug Enforcement Administration (DEA) in executing a federal search warrant for documents and narcotics at 1205 East Maurer Street, Pharr, Texas 78577. The known residence of Arturo CUELLAR, Jr.

3. The search yielded one firearm, a SCCY, Model CPX-2, .9mm caliber pistol, S/N: 376280, one assault rifle magazine loaded with 30 rounds of .223 ammunition, and a box of ammunition containing approximately 18 rounds of .223 ammunition. The aforementioned firearm was loaded with a magazine containing 8 rounds of 9mm caliber ammunition and found in the master bedroom of the residence in a dresser drawer.

4. Your affiant conducted a criminal history check on CUELLAR and learned that CUELLAR has the following felony conviction:

- July 31, 2008, U.S. District Court, Southern District of Texas; 7:07CR01340-001 Offense: 18. USC 922 (g) (1) Felon in Possession of a firearm, Sentence: 57 months United States Bureau of Prisons.

5. During a post Miranda interview, CUELLAR admitted to possessing the aforementioned firearm and placing the firearm in the dresser drawer of his bedroom where it was located by law enforcement.

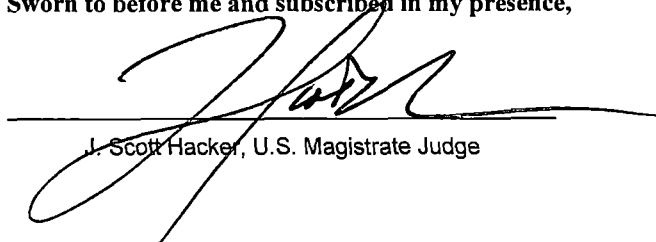
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ATTACHMENT A

6. Lastly, on February 14, 2018, ATF Resident Agent in Charge - Interstate Nexus Expert, examined the firearm seized as part of this investigation. RAC Noe Rangel concluded that the firearm did in fact travel in and affect interstate or foreign commerce.


Steven Medrano - ATF Special Agent

Sworn to before me and subscribed in my presence,


J. Scott Hacker, U.S. Magistrate Judge

2/15/18

Date